

AT AN ADJOURNED MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 23<sup>RD</sup> DAY OF JUNE 2003, AT 7:15 P.M. IN THE BOARD CHAMBERS, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

PRESENT:	Larry N. Rush	-Chair
	Annette S. Perkins	-Vice Chairman
	Mary W. Biggs	-Supervisors
	Gary D. Creed	
	John A. Muffo	
	James D. Politis	
	C.P. Shorter	
	L. Carol Edmonds	-Assistant County Administrator
	Martin M. McMahon	-County Attorney
	Karen Edmonds	-Human Resource Director
	T.C. Powers, Jr.	-Planning Director
	Robert C. Parker	-Public Information Officer
	Steve Sandy	-Zoning Administrator
	Vickie L. Swinney	-Secretary

### **CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

The Chair called the meeting to order and the Pledge of Allegiance was recited.

### **PUBLIC HEARINGS**

#### **Special Use Permit - Amendment**

**George E. Via, II ( Agent: Ron Walton) requests an amendment to a Special Use Permit for a radio tower approved on December 11, 2000 in Agriculture (A-1) to remove the 150 foot setback requirement.** The property is located on the northwest side of Fishers View Road on Fishers View Mountain and is identified as Tax Parcel No. 110-A-18 (Account #020099) in the Shawsville Magisterial District. The property lies in an area designated as Conservation Area in the Comprehensive Plan.

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The Zoning Administrator described the request. In December 2000, Mr. Via was issued a special use permit to allow construction of a radio communications tower with the condition of a 150 ft. set back to the adjoining property owner, Mr. Coleman. The construction of the radio communications tower was inadvertently constructed less than 150 feet from the property of Mr. Coleman. Therefore, Mr. Via is requesting an amendment to the Special Use Permit to remove the required set back to Mr. Coleman's property. Mr. Coleman has submitted a letter in support of the request.

At their June 11, 2003 meeting the Planning Commission found the request in conformance with the Comprehensive Plan and recommended approval.

Ron Walton, agent for the applicant, explained that Mr. Coleman has been contacted and he is in support of the proposed amendment. He pointed out the majority of the public safety providers, such as the Sheriff, rescue squads and fire departments, already have antennas on the tower, which provides a public service to the citizens of Montgomery County. Mr. Walton asked the Board for their support on the proposed amendment.

There being no further speakers, the public hearing was closed.

#### Special Use Permit

**Montgomery County and Town of Christiansburg (Agent: Montgomery County Public Schools) request a Special Use Permit on a 43.224 acre tract, with possible conditions, in Agriculture (A-1) to allow an impervious lot coverage greater than 20% and not to exceed 25%.** The property is located north of the Moose Drive and Buffalo Drive intersection in the Town of Christiansburg and Montgomery County and is identified as Tax Parcel No. 556-A-1, 92-A-62D,62E (Account ID #008097,035553,036085) in the Riner Magisterial District. The property lies in an area designated as an Agricultural Area in the Comprehensive Plan.

The Zoning Administrator reviewed the request. Montgomery County and the Town of Christiansburg have requested a Special Use Permit to allow an impervious lot coverage greater than 20% and not to exceed 25% at the new Christiansburg Middle School site. The property currently contains the new Christiansburg Middle School and there is a plan for a park. The addition of the park, with pavement and sidewalks, will bring the impervious surface area to greater than 20%. However, stormwater management has been designed for the entire site.

At their June 11, 2003 meeting, the Planning Commission found this request to be in conformance with the Comprehensive Plan and recommended approval.

Dan Berenato, Facilities Director for Montgomery County Schools, agent for Montgomery County and the Town of Christiansburg, was available to answer any questions. Mr. Berenato explained the ballfield agreement between the Town of Christiansburg, Montgomery County School,, and Montgomery County. The Schools will be able to use the ballfields adjoining the Christiansburg Middle School developed by the Town of Christiansburg and the Town will be able to use the parking areas at the Christiansburg Middle School.

There being no further speakers, the public hearing was closed.

#### Rezoning Request

**David M. Harman, et al (Agent: Gay & Keesee, Inc.) request to rezone approximately 94.8 acres from Agriculture (A-1) and 16.2 acres from Residential (R-2) to Rural Residential (RR), with possible proffered conditions to allow the construction of 49 single family dwellings in Phase 4 of Heritage Place.** The property is located on the north side of Lake Vista Drive and the west side of Hitching Post Drive, and is identified as Tax Parcel No. 92-A-58; 92-4-5,6 (Acct ID # 008143, 008144) in the Riner Magisterial District. The property currently lies in an area designated as an Agricultural area in the Comprehensive Plan.

The Zoning Administrator described the request. This request is Phase 4 of the Heritage Place Subdivision development. Phases 1-3 of the Heritage Place Subdivision were rezoned in 1994 and 62 lots have been platted. The proposed rezoning will allow for an additional 49 lots. All lots will be served by public water. At their June 11, 2003 meeting, the Planning Commission found this request to be in conformance with the comprehensive plan and recommended approval.

Michael Gay, agent for the applicant, stated Mr. Harmon has done a great job in developing the Heritage Place Subdivision. There has been a total of 29 homes built since 1994 and 29 vacant lots in Phases 1-3. There are 49 lots proposed for Phase 4. Mr. Harmon has brought public water to this area which benefitted surrounding neighbors.

There being no further speakers, the public hearing was closed.

#### Rezoning Request

**William R. & Lockie Greear (Agent: Fralin & Waldron) request to rezone the following:**

1. Approximately 2.47 acres from Planned Unit Development Residential (PUD-R) to Residential (R1), with proffered conditions.

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2. Approximately 83.08 acres from Rural Residential (RR) to Residential (R1), with proffered conditions to allow the construction of 73 single family dwellings.
3. Approximately 8.96 acres from Planned Unit Development Residential (PUD-R) to Planned Unit Development Residential (PUD-R) with proffered conditions to reduce the allowable density from 60 to 27 single family attached dwellings.

The property is located on the north side of Fairview Church Road and west side of Riner Road approximately 630 ft. west of Riner Road and Fairview Church Road intersection and is identified as Tax Parcel Nos. 119-A-32,33 (Acct ID # 007515) in the Riner Magisterial District. The property currently lies in an area designated as Urban Expansion in the Comprehensive Plan.

The Zoning Administrator explained the purpose of the request is to amend the existing Auburn Village development that was originally approved in 1998 and amended in 2000. The Greear's are proposing to change the number of single- family detached dwellings from 40 to 73 and change the number of single-family attached dwellings from 60 to 27. The proposed site will be served by public water and sewer, where before, individual septic tanks were planned. Also, the open space has increased to 40% due to smaller lot sizes and more compact development. At their June 11, 2003 meeting, the Planning Commission found this request to be in conformance with the comprehensive plan and recommended approval.

Steve Claytor, Fralin & Waldron, addressed the Board on behalf of the applicant. Mr. Claytor explained the proposed plan is a better design than the original plan in 1998. The plan increases the open space and requires public water and sewer. Mr. Claytor asked for the Boards support.

Blaine Keessee, Gay & Keessee, addressed the Board concerning the stormwater management. Mr. Keessee stated he has met with the County Engineer and the VDOT representative to discuss the potential increase in water problems on Fairview Church Road. They have developed a stormwater management plan satisfactory to all parties involved.

There being no further speakers, the public hearing was closed.

#### Special Use Permit

**Melinda Bailey requests a Special Use Permit on a 2.41 acre tract, with possible conditions, in Agriculture (A-1) to allow an accessory building in excess of 850 square feet and sixteen (16) feet in height.** The property is located at 4405 Riffe Street and is identified as Tax Parcel No. 72A-2-81A, 82A (Account ID #005452) in the Shawsville Magisterial District. The property lies in an area designated

as Urban Expansion Area in the Comprehensive Plan.

The Zoning Administrator the applicant has applied for a special use permit in order to construct a private garage 1120 sq. feet and 18 feet in height. At their June 11, 2003 meeting, the Planning Commission found this request to be in conformance with the comprehensive plan and recommended approval to the Board of Supervisors.

There being no speakers, the public hearing was closed.

## **JOINT PUBLIC HEARING - BOARD OF SUPERVISORS AND NEW RIVER LAND TRUST**

### **Transportation Enhancement Program**

#### **Application for Transportation Program Funds for Watershed Management in the Catawba Creek and North Fork of the Roanoke River.**

The Planning Director explained that the New River Land Trust would like to submit a grant application for TEA-21 grant funds for watershed management in the Catawba area. Montgomery County has to submit the application and act as the agent on behalf of the New River Land Trust. This application for TEA-21 grant funds is the same grant the County applied for a few years back. TEA-21 funds are highly competitive and the Montgomery County did not receive any grant funding the last time. The proposed project has been revised and hopefully will be approved for funding this year. The proposed project will preserve the Catawba Valley Road and the surrounding landscapes by maintaining the rural character. This area has been recognized as an Agricultural and Forest District, a Virginia Scenic Byway, US Bicycle Route, Environmental Mitigation Area, and North Fork Valley Rural Historic District.

Beth Obenshain, New River Land Trust, thanked the Board for their efforts in supporting land conservation.

There being no further speakers, the public hearing was closed.

## **PUBLIC ADDRESS**

Michael Harvey, Preston Forest Homeowners Association, spoke in support of the proposed resolution supporting wilderness designation for 4,700 acres on Brush Mountain. Mr. Harvey stated that Preston Forest is the closest neighborhood to Brush Mountain and they overwhelmingly support wilderness designation on Brush Mountain. One issue of concern was forest fires but it is his understanding that the

Forest Service is allowed to fight fires and could obtain permission to use any necessary equipment in order to fight these fires. On behalf of the residents of Preston Forest, Mr. Harvey asked the Board for their support in requesting wilderness designation on Brush Mountain.

Charles Wassumtu addressed the Board concerning the proposed resolution supporting wilderness designation for Brush Mountain in the Jefferson National Forest. Mr. Wassumtu informed the Board that the request for wilderness designation for Brush Mountain is just part of a big picture. In 1992 a conference on Environmental and Development was held by the United Nations, now called the Earth Summit. Several programs were started due to this conference, Man and the Biosphere Program, Wildlands Project and the Biodiversity Treaty. The goal is to designate more and more land every year as wilderness to allow biodiversity to flourish. Mr. Wassumtu believes this request before the Board tonight is part of this plan and wanted to bring awareness of the overall plan to the Board of Supervisors.

Charles Parry spoke in support of wilderness designation for Brush Mountain. Mr. Parry stated that it was a misrepresentation that Brush Mountain would go up in flames due to lack of fire fighting measures if it is declared a wilderness area. The Forest Service is allowed with permission to use any means necessary to fight forest fires. He indicated this should not be considered as a factor in determining whether or not Brush Mountain should be wilderness. He urged the Board to support the resolution requesting Congress to designate Brush Mountain as wilderness.

Doug Testerman addressed the Board with his concerns about the county's health insurance. Mr. Testerman appreciates the Board's consideration so far on this matter. The ramifications so far due to the increase in the family plan for insurance have been employees dropping the family plan, employees leaving the county for other employment, and a decrease in the employee paychecks. Mr. Testerman presented a petition with 333 signatures requesting the Board to make health insurance costs for all employees a budgeting priority and supplementing the cost paid by employees for insurance on children, spouse and family for this fiscal year.

Mary Ann Pitt spoke in support of wilderness designation for Brush Mountain. Ms. Pitt believes that forest fires are not a problem and thanked the Board for their consideration.

Lindsay West spoke in support of wilderness designation for Brush Mountain. Ms. West thanked the Board for their time and consideration on this matter. She presented the request in December of 2002 and knows the Board has taken time to review all issues at hand.

Mitzi Stinson addressed the Board about the proposed resolution requesting wilderness designation for

Brush Mountain. Ms. Stinson is a wildlife specialist for the Forest Service. She stated the draft revised plan for the Jefferson National Forest does not include wilderness designation for Brush Mountain due to the area being urban. After taking everything into account, the Forest Service does not recommend wilderness designation. The Virginia Department of Game and Inland Fisheries supports the draft revised plan for the Jefferson National Forest.

There being no further speakers, the public address session was closed.

### **ADDENDUM**

On a motion by Mary W. Biggs, seconded by C.P. Shorter and carried unanimously, the following addendum dated June 23, 2003 was added to the Consent Agenda:

1. School Funds: Supplemental Appropriation
2. FY 2001-2002 Revenue Sharing Funds-Riffe Street

At the request of Supervisor Creed the Melinda Bailey request for a Special Use Permit for an accessory structure over 850 sq. ft. was added to the agenda under Consent Agenda.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Mary W. Biggs	None
C.P. Shorter	
James D. Politis	
Annette S. Perkins	
Gary D. Creed	
John A. Muffo	
Larry N. Rush	

### **CONSENT AGENDA**

On a motion by James D. Politis, seconded by C.P. Shorter and carried unanimously, the Consent Agenda dated June 23, 2003 was approved.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
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James D. Politis           None  
Annette S. Perkins  
Gary D. Creed  
John A. Muffo  
C.P. Shorter  
Mary W. Biggs  
Larry N. Rush

**Continuation of Suspension of Rules- Schedule Public Hearing - Lowering Merchants Capital Tax**

On a motion by James D. Politis, seconded by C.P. Shorter and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of the County of Montgomery, Virginia hereby continues the suspension of Rule 6 of the Rules of Order and Parliamentary Procedures in order to delay scheduling a Public Hearing on lowering the Merchants Capital Tax from \$6.05 to \$3.05 per \$100 of the assessed valuation until such time all information requested by the Board of Supervisors has been received and provided to the Board.

**Appropriation - Fiscal Year 2003-2004 Budget**

On a motion by James D. Politis, seconded by C.P. Shorter and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the following appropriation for the fiscal year ending June 30, 2004 be and the same is hereby made effective July 1, 2003 for the organizations indicated as follows:

**EXPENDITURE ACCOUNTS**

**1.       GENERAL FUND**

100	Board of Supervisors	\$	179,475
110	County Administration		853,646
120	County Attorney		186,028
130	Financial and Management Services		661,902



132	Insurance	133,884
140	Information Management Services	753,813
150	Commissioner of Revenue	459,416
152	Assessment - 100% County	364,176
160	Treasurer	504,754
162	Collections - 100% County	340,236
170	Registrar	248,582
180	Internal Services	397,724
200	Commonwealth Attorney	513,540
210	Circuit Court	129,082
220	General District Court	19,744
230	Juvenile and Domestic Relations Court	11,637
240	Magistrate	4,550
250	Circuit Court Clerk - 100% County	463,184
310	Sheriff-Co/State Support	5,013,163
320	Sheriff-County Support	574,830
330	Fire and Rescue	544,565
400	General Services	3,359,460
510	Comprehensive Services Act	930,225
520	Human Services	335,043
530	Public Health	348,817
540	Social Services	3,990,329
700	Parks and Recreation	551,158
710	Regional Library	1,481,924
800	Planning and Inspections	683,724
810	Economic Development	273,597
900	Revenue Refunds	164,106
910	Other Agencies	797,125
920	General Government Debt Service	2,314,070
950	Contingencies - General	305,640
960	Contingencies - Special	143,610
990	Adjustments for Internal Services	<u>(64,059)</u>
	<b>TOTAL GENERAL FUND</b>	<b>\$ \$27,972,700</b>

**2. LAW LIBRARY FUND**

290	Law Library	<b>\$ 17,600</b>
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**3. 600 SCHOOL OPERATING FUND**

610	Instruction	52,683,230
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	620	Administration, Attendance, and Health	2,474,425
	630	Pupil Transportation	2,989,972
	640	Operations and Maintenance	9,204,144
	650	Other Non-Instructional Operations	45,778
	700	Debt Service	<u>7,445,669</u>
		<b>TOTAL SCHOOL OPERATING FUND</b>	<b>\$ 74,843,218</b>
4.	621	<b>SCHOOL ECIA FUND</b>	<b>\$ 1,539,900</b>
5.	651	<b>SCHOOL CAFETERIA FUND</b>	<b>\$ <u>2,897,073</u></b>
		<b>TOTAL SCHOOL SPECIAL FUNDS</b>	<b>\$ 4,436,973</b>
		<b>GRAND TOTAL EXPENDITURES</b>	<b>107,270,49</b> <b>\$ 1</b>

The source of funds for the foregoing appropriation is as follows:

**ESTIMATED  
RESOURCES**

**1. GENERAL FUND**

A.	REVENUE	
	General Property Taxes	\$ 42,966,547
	Other Local Taxes	8,552,435
	Other Undesignated Revenue	1,084,095
	Resources Designated by Department	11,466,457
	<b>Subtotal</b>	<b>\$ 64,069,534</b>
B.	OTHER	
	Transfers to School Operating Fund:	(36,096,834)
	<b>Subtotal</b>	<b>\$ (36,096,834)</b>

**TOTAL GENERAL  
FUND  
RESOURCES** **\$ 27,972,700**

**2. LAW LIBRARY FUND**

A.	REVENUE	\$ 15,000
B.	USE OF FUND BALANCE	<u>2,600</u>

	<b>TOTAL LAW LIBRARY FUND RESOURCES</b>	<b>\$ 17,600</b>
<b>3.</b>	<b>SCHOOL OPERATING FUND</b>	
	A. REVENUE	\$ 38,746,384
	B. TRANSFER FROM GENERAL FUND	<u>36,096,834</u>
	<b>TOTAL SCHOOL OPERATING FUND</b>	<b>\$ 74,843,218</b>
<b>4.</b>	<b>SCHOOL CAFETERIA FUND RESOURCES</b>	<b>\$ 2,897,073</b>
<b>5.</b>	<b>ECIA (ESEA) FUND RESOURCES</b>	<b>\$ <u>1,539,900</u></b>
	<b>GRAND TOTAL ALL RESOURCES</b>	<b>\$ 107,270,491</b>

FURTHER, The Treasurer is hereby authorized to make the necessary transfers between funds as required to keep expenditure account appropriated by the Board of Supervisors and revenue estimates approved by the Board of Supervisors in balance by Fund.

FURTHER, The Treasurer is hereby authorized to make the necessary wire transfer, as appropriate.

#### **Capital Improvement Program - Capital Projects Fund**

On a motion by James D. Politis, seconded by C.P. Shorter and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund is granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2004, for the function and in the amount as follows:

940	Transfer to County Capital Projects Fund	\$755,900
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The source of funds for the foregoing appropriation is as follows:

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of Revenue and Assessing Divisions to cover the cost of leave pay outs for long-time employees who are retiring.

### **RSVP Fund Raising**

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2003, for the function and in the amount as follows:

520	Human Services	\$114
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The source of the funds for the foregoing appropriation is as follows:

#### **Revenue Account**

25202-419108	Recovered Costs	\$ 114
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Said resolution appropriates donations and fundraising monies for use by RSVP.

### **Two For Life Fund Allocation**

On a motion by James D. Politis, seconded by C.P. Shorter and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2003, for the function and in the amount as follows:

331	Fire and Rescue Grants-Two for Life	\$28,524
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The source of the funds for the foregoing appropriation is as follows:

#### **Revenue Account**

23312-424401	Two for Life	\$28,524
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Said resolution appropriates funds received from the Two for Life program for use by the Volunteer Rescue Squads.

### **School Operating Fund: Supplemental Appropriation**

On a motion by James D. Politis, seconded by C.P. Shorter and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that an appropriation reduction in the General Fund is hereby authorized, as follows:

521	Grants	(\$26,297)
	Virginia Juvenile Community Crime Control Act	
	(VJCCA)Wilson Avenue	

#### **Revenue Account**

451202	Transfer to School Operating Fund-	
	Wilson Avenue VJCCCA	(\$26,297)

FURTHER, BE IT RESOLVED, By the Board of Supervisors of that an appropriation to the School Operating fund is hereby authorized, as follows:

09	School Operating Fund	\$26,297
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#### **Revenue Account:**

451101	Transfer From the General Fund-	
	Wilson Avenue VJCCCA	\$26,297

Said resolution increases the transfer to the School Operating Fund to provide reimbursement to the schools for services paid through the County's allocation under the Virginia Juvenile Crime Control Act.

### **School Funds: Supplemental Appropriation**

On a motion by James D. Politis, seconded by C.P. Shorter and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the School Operating and School Cafeteria Funds were granted appropriations in addition to the annual appropriation for the fiscal year ending June 30, 2003, for the function and in the amount as follows:

09	School Operating Fund		
	561000 Instruction		\$149,236
11	School Cafeteria Fund		
	621000 Operations		<u>100,000</u>
		Total	\$249,236

The sources of funds for the foregoing appropriation is as follows:

Revenue Account:

09 433207	Gaps – Carol White PE Grant	149,236	
11-451203	Designated Fund Balance		<u>100,000</u>
		Total	\$249,236

Said resolution appropriates additional funds from a Gaps Carol White Physical Education grant and Cafeteria Fund Balance.

**Social Services**

On a motion by James D. Politis, seconded by C.P. Shorter and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2003, for the function and in the amount as follows:

540	Social Services	\$162,866
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The sources of the funds for the foregoing appropriation is as follows:

Revenue Account

424102	Public Assistance	\$162,866
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Said resolution appropriates additional state funding for the TANF-Job Retention, Adoption Incentive, Child Day Care Quality Initiative Program, and TANF-Hard to Serve programs.

**Grant Appropriation: Dry Well Replacement Program**

On a motion by James D. Politis, seconded by C.P. Shorter and carried unanimously,

BE IT RESOLVED, By The Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2003 for the function and in the amount as follows:

801	Dry Well Replacement Grant	\$5,750
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The sources of the funds for the foregoing appropriation is as follows:

Revenue Account

424401	Dry Well Replacement Grant	\$5,750
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Said resolution appropriates monies from the Department of Housing and Community Development for the Dry Well Replacement Program Grant.

**Sheriff - Recovered Costs**

On a motion by James D. Politis, seconded by C.P. Shorter and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2003, for the function and in the amount as follows:

310	Sheriff – Compensation Board	\$ 376
320	Sheriff – County	\$5,210
321	Sheriff - Grants	<u>\$ 480</u>
	Total	\$6,066

The source of the funds for the foregoing appropriation is as follows:

Revenue Account

419108	Recovered Costs	\$5,210
441101	Insurance Recoveries	\$ 376
424401	Project Life Saver Contributions	<u>\$ 480</u>



Total \$6,066

Said resolution appropriates funds received as a reimbursement for overtime worked by deputies, insurance recoveries, and Project Life Saver Contributions.

### **Library Supplemental Appropriation**

On a motion by James D. Politis, seconded by C.P. Shorter and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2003, for the function and in the amount as follows:

710	Montgomery Library	\$26,414
720	Floyd Library	<u>4,828</u>
	Total	\$31,242

The source of the funds for the foregoing appropriation is as follows:

#### **Revenue Account**

02710-415211 Sale of Copies	\$ 2,788
02710-416158 Donations	1,678
02710-419108 Recovered Costs	6,656
02710-422401 Outreach Grant	335
02710-416151 Library Savings	14,957
02720-416158 Donations	500
02720-416151 Library Savings	<u>4,328</u>
Total	\$31,242

Said resolution appropriates additional funds for use by the Library.

### **Vacation of Property Lines - New Christiansburg Middle School**

On a motion by James D. Politis, seconded by C.P. Shorter and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board consents to the property line adjustment and right of way dedication as shown on the Plat entitled "Plat of Survey of Property Line Adjustment and Right of Way Dedication prepared for the Town of Christiansburg and the County of Montgomery, Virginia" dated January 26, 2001, revised December 4, 2001 and June 9, 2003 (the "Plat").

BE IT FURTHER RESOLVED, Larry N. Rush, Chairman of the Board, is authorized to sign the Plat on behalf of the Montgomery County Board of Supervisors.

#### **Proposed Amendments to the Zoning Ordinance - Table Continuation**

On a motion by James D. Politis, seconded by C.P. Shorter and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the **tabling** of the proposed amendments to the zoning ordinance at the May 27, 2003 meeting is hereby continued until such time the Board conducts a work session to review the proposed amendments.

#### **Resolution of Appreciation - Broomin' and Bloomin' Annual Cleanup**

On a motion by James D. Politis, seconded by C.P. Shorter and carried unanimously,

**WHEREAS**, The Montgomery County Board of Supervisors supported and endorsed the 20<sup>TH</sup> Annual "***Broomin' and Bloomin'***" clean-up day held on Saturday, April 19, 2003; and

**WHEREAS**, The Montgomery County Board of Supervisors understands that numerous private and public organizations and over 675 volunteers participated in this effort; and

**WHEREAS**, The Montgomery County Board of Supervisors is aware that approximately 157 miles of roadsides, two streams, two illegal dumps and three parks were cleaned; and

**WHEREAS**, The Montgomery County Board of Supervisors is aware that over 46,780 pounds of debris have been collected, including 150 tires.

***NOW, THEREFORE, BE IT RESOLVED***, The Montgomery County Board of Supervisors extends a unanimous vote of appreciation to the ***Montgomery County Improvement Council*** on the successful coordination of this effort.

***FURTHER, BE IT RESOLVED***, That all organizations and individuals contributing to this effort are hereby recognized and commended for their contribution toward the beautification efforts in Montgomery County.

**School ECIA Fund**

On a motion by James D. Politis, seconded by C.P. Shorter and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the School ECIA Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2003, for the function and in the amount as follows:

21	ECIA	
	562100 Administration	\$228,435

The sources of funds for the foregoing appropriation is as follows:

**Revenue Account:**

21-433202	Family Literacy Grant	\$228,435
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Said resolution appropriates additional funds from the Family Literacy Grant.

**FY 2001-2002 Revenue Sharing Funds-Riffe Street**

On a motion by James D. Politis, seconded by C.P. Shorter and carried unanimously,

WHEREAS, The “Revenue Sharing Program” allows the Virginia Department of Transportation (VDOT) to provide state funds to match local funds for the construction, maintenance, or improvement of primary and secondary highways; and

WHEREAS, By resolution dated March 26, 2001 the Board of Supervisors authorized the County Administrator to submit a letter of intent to participate in the “Revenue Sharing Program” and agreed to provide \$100,000 for this program, to be taken from the General Fund for the fiscal year ending June 30, 2001 to be matched on a dollar-for-dollar basis from funds of the Commonwealth of Virginia; and

WHEREAS, By resolution dated December 17, 2001 the Board of Supervisors recommended

the assignment of FY 2001-2002 Revenue Sharing funds to the following projects:

Brooksfield Road (SR 654)	Culvert Repair (Install Drop Inlet)	\$10,000
Brush Creek Road (SR 617)	Widen roadway in two areas	85,000
Laurel Ridge Mill Road (SR 617)	Pave from Church to County Line	15,000
Keisters Branch Road (SR 718)	Guardrail	22,000
Lick Run Road (SR 781)	Guardrail	40,000
Long Shop Road (SR 655)	Guardrail	9,000
Brooksfield Road (SR 654)	Guardrail	<u>15,000</u>
Total		\$196,000

WHEREAS, With the exception of Brooksfield Road (SR 654) where VDOT has been unable to obtain right-of-way for the proposed culvert repair, VDOT anticipates funds remaining from these projects to be approximately \$43,000.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia, authorizes the remaining funds from these projects be applied to the Riffe Street project, should these funds be available.

#### **Melinda Bailey - Special Use Permit**

On a motion by James D. Politis, seconded by C.P. Shorter and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Melinda Bailey request for a Special Use Permit, with possible conditions, in Agriculture (A-1) to allow an accessory structure in excess of 850 square feet in area and 16 feet in height is hereby approved subject to the following conditions:

1. The proposed structure shall not exceed 1120 square feet in area.
2. The height of the structure shall not exceed 18 feet.

3. The proposed structure shall match the architectural style of the existing home on the property.
4. The proposed structure shall comply with all Federal, State and local floodplain regulations.
5. Lot line between parcels 81A and 82A shall be vacated to bring the existing manufactured home into compliance with side yard setback.

The property is located at 4405 Riffe Street and identified as Tax Parcel No. 72A-2-81A, 82A (Account ID # 005452), in the Shawsville Magisterial District. The property lies in an area designated as an Urban Expansion Area in the Comprehensive Plan.

## **OLD BUSINESS**

### **Resolution of Support - Brush Mountain - Wilderness Designation**

On a motion by Annette S. Perkins, seconded by John A. Muffo and carried,

WHEREAS, The national forest land in Montgomery County is an important natural asset for the county and region; and

WHEREAS, Private land in Montgomery County is coming under increasing development pressure; and

WHEREAS, A congressionally designated wilderness area in Montgomery County will provide added scenic benefits to the county and its tourism economy; and

WHEREAS, The Board of Supervisors would like to have additional areas in the Jefferson National Forest protected in their natural state for their recreation, wildlife, and scenic values; and

WHEREAS, Brush Mountain is an excellent candidate for wilderness designation.

NOW, THEREFORE , BE IT RESOLVED, The Board of Supervisors of the County of Montgomery, Virginia supports congressional wilderness designation for 4,700 acres on the north side of Brush Mountain in the Craig Creek drainage as shown on the attached map dated May 12, 2003.

BE IT FURTHER RESOLVED, The Board of Supervisors requests that the U.S. Forest Service recommend the above referenced area for Wilderness in the Revised Forest Plan for the Jefferson National Forest currently being developed.

BE IT FURTHER RESOLVED, The Board of Supervisors requests that Congress designate the Brush Mountain area for inclusion in the National Wilderness Preservation System pursuant to the Wilderness Act 1964.

The vote on the foregoing resolution was as follows:

AYE

NAY

Gary D. Creed C.P. Shorter

John A. Muffo James D. Politis

Mary W. Biggs Larry N. Rush

Annette S. Perkins

**Resolution of Support - Changing the Management Designation of Poverty Hollow**

On a motion by Mary W. Biggs, seconded by John A. Muffo and carried,

WHEREAS, The national forest land in Montgomery County is an important natural asset for the county and region; and

WHEREAS, The recreational utilization of Poverty Hollow in the Jefferson National Forest is an important benefit to the County and its tourism economy; and

WHEREAS, Timber harvesting would lesson the recreational value of the Poverty Hollow area.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of the County of Montgomery, Virginia supports changing the management designation of Poverty Hollow in the Revised Jefferson National Forest Management Plan from 7.E.2 prescription to the 7.E.1 prescription as shown on the attached map dated May 12, 2003.

BE IT FURTHER RESOLVED, The Board of Supervisors requests the U.S. Forest Service to make this change in their revised management plan prior to the release of the plan.

The vote on the foregoing resolution was as follows:

AYE

NAY

John A. Muffo C.P. Shorter

Mary W. Biggs James D. Politis

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Annette S. Perkins      Larry N. Rush  
Gary D. Creed

**Resolution of Support - Application for Transportation Enhancement Program Funds for Catawba Creek and North Fork of the Roanoke River**

On a motion by Annette S. Perkins, seconded by James D. Politis and carried unanimously,

WHEREAS, The Virginia Transportation Enhancement Program provides funding to assist in undertaking unique and creative actions to integrate transportation into our communities and environment while making it more aesthetically pleasing and providing a quality of life benefit; and

WHEREAS, The Project Area in Montgomery County begins at the intersection of Luster's Gate Road and Plank Drive to and beyond the Roanoke County line and has been recognized as:

1.      Agricultural and Forest District
2.      Virginia Scenic Byway
3.      US Bicycle Route 76
4.      Environmental Mitigation Area
5.      North Fork Valley Rural Historic District; and

WHEREAS, The proposed project will preserve the Catawba Valley Road and the surrounding landscapes by maintaining the rural character that was characteristic of roads in southwestern Virginia via creating a "Valley Keeper" position, that is someone who can work with the many jurisdictions, programs, and landowners to develop a coordinated action plan that addresses habitat protection and restoration, scenic vista protection, and flood mitigation; and

WHEREAS, Montgomery County has met all the federally-mandated citizen participation requirements by holding a hearing on June 23, 2003 and it was announced via advertisement in two local papers at least seven days in advance; and

WHEREAS, In accordance with Commonwealth Transportation Board construction allocation procedures, it is necessary that a request by resolution be received from the local government or state agency in order that the Virginia Department of Transportation program a transportation enhancement project in the County of Montgomery, Virginia.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of the County of Montgomery, Virginia, hereby requests that the Commonwealth Transportation Board establish a project

for the improvement of the Watershed of the Catawba Creek and the North Fork of the Roanoke River.

BE IT FURTHER RESOLVED, The County of Montgomery, Virginia hereby agrees to pay a minimum 20 percent of the total cost for planning and design, right of way, and construction of this project, and that if the County of Montgomery, Virginia subsequently elects to cancel this project the County of Montgomery, Virginia hereby agrees to reimburse the Virginia Department of Transportation for the total amount of costs expended by the Department through the date the Department is notified of such cancellation.

BE IT FURTHER RESOLVED, The County Administrator, Jeffrey D. Johnson, is authorized to sign and submit the project application on behalf of Montgomery County.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
C.P. Shorter	None
Mary W. Biggs	
James D. Politis	
Annette S. Perkins	
Gary D. Creed	
John A. Muffo	
Larry N. Rush	

## **NEW BUSINESS**

### **Supplemental Agreement - Boundary Line Agreement with the Town of Blacksburg - Maple Ridge Land LLC.**

On a motion by John A. Muffo, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia, that the Board hereby agrees to the Supplemental Agreement by and between the Maple Ridge Land, LLC, Maple Ridge I, LLC, NW Development Inc. and the County of Montgomery, Virginia, ("the Parties") which



amends the proposed Boundary Line Agreement that was previously agreed to by the Parties.

BE IT FURTHER RESOLVED By the Board of Supervisors of the County of Montgomery, Virginia, that the Board hereby authorizes Larry N. Rush, Chairman of the Board, to execute the Supplemental Agreement on behalf of the Montgomery County Board of Supervisors.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
Mary W. Biggs	None
James D. Politis	
Annette S. Perkins	
Gary D. Creed	
John A. Muffo	
C.P. Shorter	
Larry N. Rush	

#### **Schools - Additional Appropriation**

On a motion by Mary W. Biggs, seconded by Annette S. Perkins and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the School Operating Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2003, for the function and in the amount as follows:

09	School Operating Fund	
	563000 Transportation	\$151,446
	564000 Operations & Maintenance	\$183,500

The sources of funds for the foregoing appropriation is as follows:

#### **Revenue Account:**

09 424202	Basic State Aid	\$334,946
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Said resolution appropriates additional funds received from Basic State Aid.

The vote on the foregoing resolution was as follows:

AYE

James D. Politis  
Annette S. Perkins  
Gary D. Creed  
John A. Muffo  
C.P. Shorter  
Mary W. Biggs  
Larry N. Rush

NAY

None

**2004 Legislative Priorities**

On as motion by John A. Muffo, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of the County of Montgomery, Virginia hereby adopts their 2004 legislative priorities as follows:

**Montgomery County  
Legislative Priorities for 2004**

**FINANCE**

***Unfunded mandates*** Montgomery County continues to oppose unfunded mandates from the state or federal government.

***Compensation Board*** Montgomery County supports full state funding for positions and operational costs for constitutional offices.

***Judicial System*** Montgomery County supports legislation to provide adequate state funding for support personnel, offices and equipment for any judicial position it creates.

***Interest on Erroneously Assessed Taxes*** Montgomery County supports amending 58.1-3916 of the Code of Virginia, 1950, as amended, to add language stating that a locality does not have to provide for interest on overpayments due to erroneously assessed taxes when an act or omission on the taxpayers part contributed to the erroneous assessment.

***Local Revenue*** If the General Assembly removes or curtails **any local revenue source**, Montgomery County insists that the General Assembly fully replace the lost local revenue with state funds in amounts to

capture projected economic growth and local need. If the state chooses to curtail any local revenue sources, Montgomery County would support the state becoming fully responsible for services currently provided by local governments in a dollar amount no less than any lost local revenues plus any growth in costs of such services. Montgomery County opposes any effort to restrict or limit the growth of real estate revenue, real estate assessments or real estate tax rates.

Montgomery County supports legislation to provide local governments the authority to levy impact fees to pay for cost of capital facilities for new developments, including road construction and maintenance.

***Portion of Income Taxes Returned to Localities*** Montgomery County supports legislation to distribute a percentage of individual income tax revenues to localities, or the authority to levy a local income tax.

***Local Option Sales and use tax*** Montgomery County supports a “hold harmless” provision to ensure localities are not subject to a loss of revenue due to the reduction in this tax.

***Merchants Capital and BPOL Tax*** Montgomery County supports a “hold harmless” provision to ensure localities are not subject to a loss of revenue due to the reduction in this tax.

***Impact on local tax base of state-owned land*** Montgomery County requests that the Joint Legislative Audit and Review Commission (JLARC) prepare a financial impact analysis of real estate taxes that would have been received from land and buildings owned by Virginia Polytechnic Institute and State University, the Virginia Tech Foundation, and Radford University Foundation to determine the loss in revenue to Montgomery County.

***Situs for Taxation*** Montgomery County supports legislation amending Section 58.1-3511A of the Code of Virginia, 1950, as amended, requiring that situs for the assessment and taxation of tangible personal property, merchant’s capital and machinery and tools (would not include motor vehicles, travel trailers, boats and airplanes which are already assessed based on where they are “normally garaged, docked or parked”) be the county, district, town or city in which the property is “normally used, located or held out for sale” instead of where the property “may be physically located on tax day”. The purpose of the change is to prevent tax payers from being able to move their tangible personal property, merchants capital or machinery and tools out of the locality where the property is normally kept throughout the year on “tax day” in order to avoid being assessed for the tax by claiming that the property was not “physically located” in the locality on tax day.

***Equal Taxing Authority*** Montgomery County supports legislation to eliminate the distinction in the taxing authority of Virginia’s cities and counties.

***Study on Restructuring Tax Law*** Montgomery County supports a timely conclusion to the study on restructuring tax laws by seeking out and incorporating local government input into the study

recommendations, and expeditiously enacting legislation to implement these recommendations.

***Assessments for Courthouse Construction, Renovation or Maintenance*** Montgomery County supports amending Section 17.1-281 of the Code of Virginia of 1950, as amended, allowing localities to increase the fees for each civil and criminal action filed in the district or circuit court from Two Dollars (\$2.00) to Ten Dollars (\$10.00) per case.

## **LAND USE**

***Land Use*** Montgomery County supports legislation that requires state agencies to comply with local land use ordinances.

***Local Zoning Regulatory Standards*** Montgomery County opposes legislation which constrains local authority over land use issues; and therefore; opposes legislation that would mandate localities to treat certain manufactured homes the same as site-built homes for purposes of local zoning regulatory standards.

***State Corporation Commission-Public Service Corporations*** Montgomery County supports legislation that requires public utility service corporations when applying for a certificate of convenience and necessity to construct or enlarge any facility from the State Corporation Commission, to first provide written notice to persons residing or owning property within the affected area.

## **EDUCATION**

***School Funding*** Montgomery County supports enhanced funding for public education, including increasing the funds available for distribution to localities through the Literary Loan Fund or other innovative revenue sources. Montgomery County supports full funding of SOQ so that a redistribution of existing state aid among jurisdictions does not occur without an increase of state funds. Further, the SOQ funding should adequately support 100% of the costs of the SOL program. Montgomery County supports state funding allocated for teacher pay raises based on actual positions, not just positions recognized in the SOQ. ***Montgomery County supports “cost for competing Add-on” funding for all Virginia School Districts.***

***JLARC Recommendations*** Montgomery County supports the phasing in of the Joint Legislative Audit and Review Commission (JLARC) recommendations for state funding of public education K-12.

***School Construction*** Montgomery County supports adequate state funding for school construction and renovations.

***School Technology*** Montgomery County supports state funding for annual technology upgrades and

replacements.

### **HEALTH, HUMAN AND SOCIAL SERVICES**

***Comprehensive Services Act (CSA)*** Montgomery County supports full state funding for 100% of the costs of CSA.

***Health Department*** Montgomery County supports full state funding for 100% of the costs of the Health Department.

### **ENVIRONMENT AND AGRICULTURE**

***Water and Sewer availability fees*** Montgomery County supports legislation that would grant counties the authority to enact water and sewer availability fees, and mandatory water and sewer connection powers.

The vote on the foregoing resolution was as follows:

#### **AYE**

Annette S. Perkins

Gary D. Creed

John A. Muffo

C.P. Shorter

Mary W. Biggs

James D. Politis

Larry N. Rush

#### **NAY**

None

### **Amendments to the Building Permits and Inspections Fee Schedule**

On a motion by Mary W. Biggs, seconded by C.P. Shorter and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of the County of Montgomery, Virginia hereby

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approves the following amendments to the Fee Schedule for Building Permits and Inspections effective July 1, 2003:

**FEE SCHEDULE  
BUILDING PERMITS AND INSPECTIONS**

No permit to begin work for new construction or other building alterations shall be issued until the fees presented in this schedule have been paid and requested permits have been approved by the Building Official. Unless otherwise indicated, fees for permits shall be based upon Gross Building Area (GBA - total square footage area of each floor including the basement and all exterior structures). Fees may also be based on the project cost for labor and materials. Costs submitted shall be no lower than those listed in the Marshall and Swift Index or other evaluation of building costs approved by the Building Official. The Building Official may assess other/additional fees upon review and approval of the permit application or plans or during construction due to change in permit status or plans.

Fees shall be charged for various types of building construction and alterations at the following rates:

**Residential Construction:**

New Buildings and Additions

One and Two Family Dwelling, Multi-Family dwellings	\$0.12 per sq. ft. \$30.00 min.
Additions, Basements, Attached Garage and any unfinished interior space	\$0.12 per sq. ft. \$30.00 min.
Alterations and Repairs	
Alteration/Renovation of any building or structure, where there is no addition or enlargement	\$0.10 per sq. ft. \$30.00 min.

Accessory Structures

Detached garages, carports and storage buildings	\$0.10 per sq. ft. $\geq$ 150 sq. ft. \$30.00 min.
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A Special Use Permit authorized from the Board of Supervisors is required for any accessory building that is 850 sq. ft. or greater and/or sixteen (16) ft. in height (**see zoning**). Building permit not required for accessory storage buildings < 150 sq. ft.

Permits for accessory farm buildings shall be issued without a fee provided, such buildings shall be used for agricultural purposes as defined in VA Statewide Building Code - USBC 1996 Edition, as amended. All other farm construction shall be subject to the permit fees prescribed.

**Electrical:**

Residential, commercial and industrial including accessory structures	\$0.01 per sq. ft. \$30.00 min.
Temporary Electric on Pole	\$30.00
Upgrading residential service entrance	\$30.00
Upgrading non-residential service entrance	\$50.00

**Plumbing:**

Residential, commercial and industrial including accessory structures	\$0.01 per sq. ft. \$30.00 min.
Backflow preventer	\$30.00

**Mechanical:**

Residential, commercial and industrial including accessory structures	\$0.01 per sq. ft. \$30.00 min
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**Manufactured Housing (covers all inspections):**

Single Wide (Class B)	\$100.00
Double Wide (Class A) 1-story in height <b>and</b> no basement	\$120.00
Double Wide (Class A) Greater than 1-story in height <b>or</b> with basement	\$180.00
Double Wide (Class A) Greater than 1-story <b>in</b> height with basement	\$240.00
Triple Wide	\$300.00
Deck/Porch (greater than 6' x 6')	\$30.00
Construction Trailers	\$50.00

**Swimming Pools:**

Above-ground - Residential	\$50.00
In-ground - Residential	\$100.00
Non-Residential	\$200.00

**Demolition:**

All structure demolition	\$30.00
Removal or installation of underground storage tank	\$30.00 min

All demolition work and structure removal/relocation must provide proof of proper demolition, disposal or relocation.



**Non-Residential:****\$30.00 min.**

Estimated Costs of \$1,000 - \$100,000

~~\$10.00~~ **\$30.00** for first thousand plus ~~\$2.65~~  
**\$2.75** for each additional thousand or fraction  
thereof rounded up to the nearest dollar

Estimated Costs of \$100,001 - \$500,000

~~\$272.00~~ **\$275.00** for the first one  
hundred thousand plus ~~\$1.2625~~ **\$2.75**  
for each additional thousand or fraction  
thereof rounded up to the nearest dollar

Estimated Costs of \$500,001 - \$1,000,000

~~\$777.00~~ **\$1375.00** for the first five  
hundred thousand plus ~~\$505~~ **\$2.75** for  
each additional thousand or fraction  
thereof rounded up to the nearest dollar

Estimated Costs over \$1,000,000

~~\$1,030.00~~ **\$2750.00** for the first million  
plus ~~\$202~~ **\$2.75** for each additional  
thousand or fraction thereof rounded up  
to the nearest dollar**Signs:**New or relocated sign, billboard or other display structure  
(Electrical permits as required)

\$30.00 min.

**General:**

Virginia State levy on all permits for the purpose of continued education and training (1% of building permit fee).

Building Plan Review

Residential

No Charge

Multi-Family &amp; Non-Residential

\$0.015 per sq. ft. gross bldg. Area  
\$50.00 min.

Code Investigation Fee

\$50.00

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Temporary Certificate of Occupancy \$30.00

Re-Inspection Fee \$30.00

A re-inspection fee will be charged when work is not ready for inspection, or the building was not accessible or open.

**Adjustment & Appeals Board** \$175.00\*

\* Mailing costs of \$2.00 per adjacent property owner will be added to application fee.

**Refunds:**

1. Refund request must be in writing and state the reason for the refund request.
2. Refunds requested within six (6) months of the permit date will be made in an amount which deducts (a) ~~\$20~~ **\$30** for administrative charges plus (b) \$30 for each inspection visit made to the site.
3. No refunds will be made six (6) months or more after the permit date.

The vote on the foregoing resolution was as follows:

AYE                      NAY

Gary D. Creed None

John A. Muffo

C.P. Shorter

Mary W. Biggs

James D. Politis

Annette S. Perkins

Larry N. Rush

**Resolution of Appreciation - Community Services Board -Arthur Buikema, Jr.**

On a motion by John A. Muffo, seconded by Mary W. Biggs and carried unanimously,

***WHEREAS, Arthur L. Buikema, Jr.*** has faithfully served as a member of the New River Valley Community Services Board since March 12, 2001; and

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**WHEREAS**, The County recognizes the excellent and dedicated service that **Arthur L. Buikema, Jr.** has rendered the citizens of Montgomery County.

**NOW, THEREFORE, BE IT RESOLVED**, The Board of Supervisors of Montgomery County, Virginia, on behalf of the entire citizenship, extends a unanimous vote of appreciation and gratitude to **Arthur L. Buikema, Jr.**

**BE IT FURTHER RESOLVED**, That the original of this resolution be presented to **Arthur L. Buikema, Jr.** and that a copy be made a part of the official Minutes of Montgomery County.

The vote on the foregoing resolution was as follows:

AYE

John A. Muffo None

C.P. Shorter

Mary W. Biggs

James D. Politis

Annette S. Perkins

Gary D. Creed

Larry N. Rush

NAY

**Resolution of Appreciation - Community Policy and Management Team - Suzanne Bentley**

On a motion by Mary W. Biggs, seconded by C.P. Shorter and carried unanimously,

**WHEREAS**, **Suzanne Bentley** has faithfully served as a member of the Community Policy and Management Team (CPMT) since 1999; and

**WHEREAS**, The County recognizes the excellent and dedicated service that **Suzanne Bentley** has rendered the citizens of Montgomery County.

**NOW, THEREFORE, BE IT RESOLVED**, The Board of Supervisors of Montgomery County, Virginia, on behalf of the entire citizenship, extends a unanimous vote of appreciation and gratitude to **Suzanne Bentley**.

**BE IT FURTHER RESOLVED**, That the original of this resolution be presented to **Suzanne Bentley** and that a copy be made a part of the official Minutes of Montgomery County.

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The vote on the foregoing resolution was as follows:

AYE

NAY

John A. Muffo None

C.P. Shorter

Mary W. Biggs

James D. Politis

Annette S. Perkins

Gary D. Creed

Larry N. Rush

**INTO WORK SESSION**

On a motion by Mary W. Biggs, seconded by John A. Muffo and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Work Session for the purpose of discussing the following:

1. Health Insurance

The vote on the foregoing motion was as follows:

AYE

NAY

C.P. Shorter

None

Mary W. Biggs

James D. Politis

Annette S. Perkins

Gary D. Creed

John A. Muffo

Larry N. Rush

The Board of Supervisors agreed that the cost of insurance is increasing at an alarming rate and that it is not only effecting Montgomery County, but state wide. They also agreed they need to supplement the cost paid by the employee for health insurance for FY 2003-2004. This would be a one time supplement and will need to discuss health insurance further during the next budget session.

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Following discussion, the Board requested a cost analysis on the following options at the June 30, 2003 meeting:

1. Supplement to each of the insurance plans:

Employee	\$25
Employee/child(ren)	\$50
Employee/spouse	\$75
Employee/family	\$100
2. Supplement \$25 to employee coverage plan and supplement 20% of cost paid by employee.
3. Supplement equal amount for all employees.

### **OUT OF WORK SESSION**

On a motion by Gary D. Creed, seconded by John A. Muffo and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Work Session to return to Regular Session.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Mary W. Biggs	None
C.P. Shorter	
James D. Politis	
Annette S. Perkins	
Gary D. Creed	
John A. Muffo	
Larry N. Rush	

### **BOARD MEMBERS' REPORTS**

Supervisor Creed Mt. Pleasant Rd (SR 722) Bridge - Supervisor Creed requested staff to contact VDOT about the bridge on Mt. Pleasant Rd. The bridge is a low water bridge which means water is constantly running across it, causing the bridge to deteriorate.

Newtown Road Supervisor Creed received a request for posted speed signs and “Children at Play” signs for Newtown Road. The County Administrator will forward the appropriate petition forms to the concerned citizen, along with a letter of explanation.

Supervisor Biggs Post-Legislative Meeting Supervisor Biggs reported on the Post-Legislative meeting held with Senator John Edwards and Delegate Jim Shuler. The legislators recommended the Board review the two plans submitted to the Commonwealth Transportation Board to widen I-81. Also, HB 1212, which provides that certain manufactured homes be deemed the same as site-built homes for the purpose of zoning standards, will likely be back in the next session of the General Assembly.

School Board A tour of the new Christiansburg Middle School was held at the last School Board meeting. The school is scheduled to open in the Fall of 2003.

Library Board The Library Board met June 18, 2003 at the former Meadowbrook Nursing Home. A tour of the nursing home was given before the meeting. The Library Board agreed to use a portion of the nursing home as a library branch for the Elliston/Shawsville area. A formal request will be forwarded to the Board of Supervisors.

Supervisor Shorter requested staff contact VDOT about a traffic light at the intersection of Gardner Street and US 460. This is the intersection into Rowe Furniture. There still seems to be a problem with traffic in the evening when the employees leave.

Rural Rustic Road Program - The Rural Rustic Road Program is scheduled to start in July 2003. One road in Montgomery County, Coal Bank Hollow, is on the list to be paved.

Supervisor Muffo New Christiansburg Middle School Supervisor Muffo attended the School Board meeting and toured the new CMS. He stated the new school is very impressive.

Employee Recognition Dinner Supervisor Muffo commended the Human Resources Department and staff that work hard to sponsor this event. It is very important to recognize the employees for their years of employment with the County.

Supervisor Perkins Family Access to Medical Insurance Security (FAMIS) Program - Supervisor Perkins requested more information on the FAMIS Program.

Work Force Investment Act (WIA) - A new pilot program is being developed. The WIA will administer the program and surveying employers to determine what job skills they need or require in employees.

Supervisor Rush thanked the Human Resources Director for the Employee Recognition Dinner. He agreed with Supervisor Muffo comments that employees do need to be recognized for their years of employment

with the County.

### **INTO CLOSED MEETING**

On a motion by John A. Muffo, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Closed Meeting for the purpose of discussing the following:

- Section 2.2-3711      (1)      Discussion, Consideration or Interviews of Prospective Candidates for Employment; Assignment, Appointment, Promotion, Performance, Demotion, Salaries, Discipling or Resignation of Specific Public Officers, Appointees or Employees
1. Human Services Commission
  2. Montgomery - Floyd Regional Library Board  
(2 Appointments)

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Mary W. Biggs	None
C.P. Shorter	
James D. Politis	
Annette S. Perkins	
Gary D. Creed	
John A. Muffo	
Larry N. Rush	

### **OUT OF CLOSED MEETING**

On a motion by Annette S. Perkins, seconded by C.P. Shorter and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Closed Meeting to return to Regular Session.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
------------	------------

Mary W. Biggs                None  
C.P. Shorter  
James D. Politis  
Annette S. Perkins  
Gary D. Creed  
John A. Muffo  
Larry N. Rush

### **CERTIFICATION OF CLOSED MEETING**

On a motion by Mary W. Biggs, seconded by Annette S. Perkins and carried unanimously,

WHEREAS, The Board of Supervisors of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion conveying the closed meeting were heard, discussed or considered by the Board.

### **VOTE**

#### **AYES**

Mary W. Biggs  
C.P. Shorter  
James D. Politis  
Annette S. Perkins  
Gary D. Creed  
John A. Muffo  
Larry N. Rush

#### **NAYS**

None

#### **ABSENT DURING VOTE**

None



ABSENT DURING MEETING

None

APPOINTMENTS

Human Services Commission

On a motion by Gary D. Creed, seconded by John A. Muffo and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints **Juanita Thornton** to the **Human Services Commission** effective June 24, 2003 and expiring June 23, 2006.

Human Services Commission

On a motion by Gary D. Creed, seconded by John A. Muffo and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints **Donald C. MacNicoll** to the **Human Services Commission** effective June 24, 2003 and expiring June 23, 2006.

Montgomery-Floyd Regional Library Board

On a motion by James D. Politis, seconded by Gary D. Creed and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints **Michael Hemphill** to the **Montgomery-Floyd Regional Library Board** effective July 1, 2003 and expiring June 30, 2007.

Montgomery-Floyd Regional Library Board

On a motion by James D. Politis, seconded by Gary D. Creed and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints

**Joy V. Foster** to the **Montgomery-Floyd Regional Library Board** effective July 1, 2003 and expiring June 30, 2007.

### **ADJOURNMENT**

On a motion by Gary D. Creed, seconded by James D. Politis and carried unanimously, the Board adjourned to Monday, June 30, 2003 at 7:15 p.m.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Mary W. Biggs	None
C.P. Shorter	
James D. Politis	
Annette S. Perkins	
Gary D. Creed	
John A. Muffo	
Larry N. Rush	

The meeting adjourned at 11:14 p.m.

_____ ATTEST:	
Larry N. Rush, Chair	Jeffrey D. Johnson, County Administrator